



1050

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8240

UNITED STATES OF AMERICA,

Plaintiff,

v.

Jose J. ALTAMIRANO-Castillo

Defendant.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960

Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

That on or about March 16, 2008, within the Southern District of California, defendant Jose J. ALTAMIRANO-Castillo did knowingly and intentionally import approximately 39.02 kilograms (85.84 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

LORENA MULVIHILL
Special Agent
Immigration and Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, March 17, 2008.

PETER C. LEWIS
U.S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Jose J. ALTAMIRANO-Castillo

4 STATEMENT OF FACTS

5 This complaint is based on the personal observations, investigation, and information
6 furnished to U. S. Immigration and Customs Enforcement Special Agent Lorena Mulvihill.

7 On March 16, at approximately 0417 hours, Customs and Border Protection Officer
8 (CBPO) J. Burgueno was assigned to primary lanes at the Calexico, California West Port of
9 Entry when a 2000 Ford Windstar approached for entry.

10 CBPO Burgueno encountered the operator, registered owner and sole occupant of the
11 vehicle identified as Jose J. ALTAMIRANO-Castillo. CBPO Burgueno received a negative
12 Customs declaration from ALTAMIRANO and noticed ALTAMIRANO was avoiding eye
13 contact. CBPO Burgueno conducted a primary cursory inspection of the vehicle, removed a cup
14 holder from the quarter panel of the van and discovered packages wrapped in brown postal tape.
15 CBPO Burgueno then instructed ALTAMIRANO to exit the vehicle and escorted him to the
16 secondary office.

17 In the vehicle secondary area, CBPO Burgueno resumed examination of the vehicle and
18 requested CBP Canine Enforcement Officer S. Parrish (CEO) screen the vehicle with his Human
19 Narcotic Detector Dog (HNDD). HNDD alerted to the vehicle. CBP CEO C. Parrish informed
20 CBPO Burgueno of the alert.

21 CBPO Burgueno removed the panel cover and discovered several packages concealed
22 within. CBPO Burgueno probed a package which exposed a green leafy substance. A sample of
23 the substance was tested and proved positive for marijuana. A total of twenty (35) packages,
24 with a total weight of 39.02 kilograms (85.84 pounds) were removed from the vehicle.
25

26 ALTAMIRANO was advised of his rights per Miranda. ALTAMIRANO stated he
27 understood his rights and was willing to waive his rights and make a statement. ALTAMIRANO
28 admitted knowledge of the narcotics in the vehicle. ALTAMIRANO stated he would receive
29 \$1,800.00 to deliver the vehicle to Calexico, CA.